

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MUSTAFA YOUSIF AL BAYATI,

Plaintiff,

v.

UR MENDOZA JADDOU; TERRI
ROBINSON,

Defendants.

No. 2:23-cv-0688 DAD DB PS

ORDER TO SHOW CAUSE

Plaintiff Mustafa Yousif Al Bayati is proceeding in this action pro se. This matter was referred to the undersigned in accordance with Local Rule 302(c)(21) and 28 U.S.C. § 636(b)(1). On April 13, 2023, plaintiff commenced this immigration action by filing a complaint and paying the applicable filing fee. (ECF No. 1.) However, no defendant has appeared in this action and the only activity on the docket consists of plaintiff filing supplemental material.¹

¹ On April 19, 2023, plaintiff filed a purported proof of service on the defendants. Plaintiff may wish to compare the proof of service with the requirements for service as outlined in Rule 4(i) of the Federal Rules of Civil Procedure. See generally Navarrette v. Wren, Case No.3:22-cv-0006 LL AHG, 2022 WL 11128279, at *2 (S.D. Cal. Oct. 19, 2022) (“Rule 4(i) provides that, when suing a United States officer or employee in an individual capacity for an act or omission occurring in connection with the officer’s duties, in addition to serving the individual officer, the plaintiff must also serve the United States. To serve the United States, a party must deliver a copy of the summons and complaint to the United States Attorney for the district where the action is brought or send a copy of each by registered or certified mail to the civil-process clerk at the

1 In this regard, it appears that plaintiff has failed to prosecute this action. In light of
2 plaintiff's pro se status, and in the interests of justice, the court will provide plaintiff with an
3 opportunity to show good cause for plaintiff's conduct.

4 Accordingly, IT IS HEREBY ORDERED that:

5 1. Plaintiff show cause in writing within fourteen days of the date of this order as to why
6 this case should not be dismissed for lack of prosecution²; and

7 2. Plaintiff is cautioned that the failure to timely comply with this order may result in a
8 recommendation that this case be dismissed.

9 Dated: November 27, 2023

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12 DEBORAH BARNES
13 UNITED STATES MAGISTRATE JUDGE
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26 United States Attorney's Office, and must also send a copy of each by registered or certified mail
to the Attorney General of the United States in Washington, D.C.”).

27 ² Alternatively, if plaintiff no longer wishes to pursue this civil action, plaintiff may comply with
28 this order by filing a request for voluntary dismissal pursuant to Rule 41(a) of the Federal Rules
of Civil Procedure.

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